

II. Remarks

Claims 1 – 27 were pending in this application. The present amendment cancels claims 1 and 2, and amends claims 3, 5-7, 9-24, 26 and 27 to more particularly point out and clarify Applicant's invention. No new matter has been added by the present amendment. After this amendment, claims 3-27 will be pending. Reconsideration of the application in view of the following remarks is respectfully requested.

Rejections Under 35 U.S.C. § 112

Claims 18, 22 and 26 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 18 was amended to recite “the separate circuit of the hydraulic damping medium.” This was in response to a rejection that “the damping circuit” lacked sufficient antecedent basis.

Claim 22 was amended to recite “an end of the movement stroke” and was further amended so as to depend from claim 6, which recites “at least one damper cylinder.” This was in response to the rejections that “the damper cylinder” and “the end of the movement stroke” lacked sufficient antecedent basis.

Claim 26 was amended to recite “a spring circuit in fluid communication with the spring cylinder.” This was in response to the rejection that “the spring circuit” lacked sufficient antecedent basis. Accordingly, Applicant believes that the amendments discussed in the foregoing paragraphs have cured the 35 U.S.C. § 112, second paragraph, rejections of claims 18, 22 and 26.

Rejections Under 35 U.S.C. § 102

Claims 1 and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 1,290,293 issued to Morski. Applicant has cancelled claim 1 and has amended claim 5 to be dependent from claim 4, which was indicated as being allowable. Accordingly, the rejection of claims 1 and 5 are now moot.

Allowable Subject Matter

Claims 3 and 4 were indicated as being allowable.

Claims 2, 6-17, 19-21, 23-25 and 27 were objected to, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 2 has been cancelled and therefore, the objection of claim 2 is now moot. Claims 6-17, 19-21, 23-25 and 27 either depend from or have been amended to depend from either base claim 3 or an intervening claim which depends from base claim 3, and therefore, are believed to be allowable. Moreover, claim 5 has been amended to depend from claim 4 and therefore, is also believed to be allowable.

Claims 18, 22 and 26 were rejected to, but were indicated as being allowable if rewritten to overcome the 35 U.S.C. § 112 rejections and to include all limitations of the base claim and any intervening claims. As indicated in the foregoing paragraph, the 35 U.S.C. § 112 rejections of claims 18, 22 and 26 are believed to have been cured. These claims have further been amended to depend from either base claim 3 or an intervening claim which depends from base claim 3, and therefore, are believed to be allowable.

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the prior art of record and that this application is now in a condition for allowance. Such action is respectfully requested.

Respectfully submitted,

December 20, 2007
Date

/Daniel P. Dailey/
Daniel P. Dailey (Reg. No. 54,054)